



PERMIT TO CONDUCT RIGHT-OF-WAY TREATMENT

Permit number: ROW\_2023\_04

Effective May 2, 2023

**Office of the Secretary, Anson B. Tebbetts**

[www.agriculture.vermont.gov](http://www.agriculture.vermont.gov)

116 State Street • Montpelier, Vermont 05620-2901 • (802) 828-5667 • (802) 828-1410 fax

Permittee: Vermont Electric Cooperative, Inc., 42 Wescom Road, Johnson, Vermont 05656  
 [Contact Person: Sara Packer]

Permit conditions:

1. The permittee shall contact the Agency of Agriculture, Food and Markets (the Agency) one business day prior to initiating this permit.
2. Each application crew, including sub-contractors, working under this permit shall coordinate one use inspection with the Agency.
3. This permit authorizes the use of pesticides this calendar year in rights-of-ways in the towns of Albany, Barton, Berkshire, Cambridge, Canaan, Charleston, Coventry, Craftsbury, Derby, Eden, Fairfax, Fairfield, Fletcher, Franklin, Glover, Greensboro, Highgate, Holland, Irasburg, Jay, Jericho, Lemington, Lowell, Lyndon, Morgan, Newport City, North Hero, Norton, Richford, Sheffield, Sheldon, St. Albans Town, Sutton, Swanton, Underhill, Westfield, and Wheelock.. This permit does not allow for treatment to control terrestrial invasive plant species, unless required for operator or worker safety, public health needs, or in compliance with specified conditions in appendix of this permit. This permit in no way authorizes the applicant to use pesticides on real estate where it has no lawful right to do so.
4. At least one certified applicator shall be a member of each application crew. All label recommendations and requirements for protective clothing shall be adhered to for all applicators.
5. Proof of public notification as detailed in the permit application shall be provided, upon request, to the Agency as proof that the notification occurred (e.g., copies of newspaper tear sheets, invoices).
6. All distances described in this permit are horizontal (lateral) measurements.
7. Pesticides shall not enter the waters of the State. Buffers to water are as follows, unless the product label prescribes a greater buffer:
  - a. Cut stump and basal bark applications of triclopyr products may be made up to 15 feet from surface water, as measured from the shoreline.
  - b. Aquatically labeled glyphosate products may be made up to 10 feet from surface water, as measured from shoreline.
  - c. All other applications shall not occur within 30 feet of surface waters.
  - d. Selective foliar applications may be made up to 15 feet from transient standing water via backpack sprayer.
8. No foliar application of pesticides shall take place within 100 feet of domiciles without notification.
9. All-terrain vehicles (ATVs) may be used to apply the herbicides within the right-of-way if easements or other covenants do not prohibit the use of such equipment. ATVs shall be equipped with a spill kit capable of containing 125% of the largest stored pesticide container on the ATV.

10. Public and potable (non-public) water sources are to be avoided.
- a. Applications shall not be made within 200 feet of a public or potable water source, as identified by the Vermont ANR Atlas, through well owner notification to permittee, or identified in the field.
    - i. Buffer can be reduced to within 100 feet of a public non-community groundwater drinking water source.
    - ii. Buffer can be reduced to within 100 feet of potable water sources in bedrock or confined surficial aquifers.
11. A copy of this permit and accompanying digital or electronic maps identifying surface waters and both public and potable water sources shall be provided to the applicator for use during application.
12. Routine operational records as required by the Vermont Rule for the Control of Pesticides shall be submitted by the pesticide applicator to the Agency of Agriculture on a weekly basis.

Records shall be submitted electronically to: [Morgan.griffith@vermont.gov](mailto:Morgan.griffith@vermont.gov)

13. The following pesticides may be applied at the rates listed below and in accordance with the label:

Product	Active ingredient	EPA registration number	Application Rate (per acre)
AquaNeat or AquaMaster	Glyphosate	228-365/524-343	0.1 to 1.87 gallons
Escort XP or Patriot	Metsulfuron methyl	432-1549/228-391	0.2 to 1.0 ounce
Arsenal Powerline or Polaris	Imazapyr	241-431/228-534	2.0 ounces to 1.0 pint
Garlon 4 Ultra	Triclopyr	62719-527	0.25 to 1.5 gallons
Krenite S	fosamine ammonium	42750-247	0.8 to 3.0 gallons

14. In the event the permittee sub-contracts or assigns any of the applications authorized by this permit, the permittee shall continue to remain responsible for the conditions of this permit. This condition does not relieve any sub-contractor or assignee from compliance.
15. All operations shall be conducted in accordance with the representations made by the permittee in its permit application under these permit conditions unless, and until, the permit is amended.
16. The Secretary reserves the right to further limit or restrict the application of pesticides approved under this permit as conditions or circumstances warrant.

This application was published for public comment and forwarded with recommendation to the Secretary.

Effective Date May 2, 2023

Expiration Date December 31, 2023

DocuSigned by:  
  
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Anson B. Tebbetts, Secretary  
 Agency of Agriculture, Food & Markets